

# City of Colorado Springs Adopt-A-Waterway Program Agreement

*It's up to each of us to keep our waters clean...*

1. The City of Colorado Springs, City Engineering - Stormwater Drainage Team encourages local businesses, civil and professional organizations, environmental groups, academic institutions, HOA's, BOA's, 4-H, and scout groups to formally adopt a local waterway for the purpose of improving water quality.
2. **"Adopting Organization"** means any local business, civil and professional organization, environmental group, academic institution, HOA, BOA, 4-H, scout group or other organization who formally adopt a local waterway.
3. **"Local Waterway"** means any waterway within the City such as a stream, creek, floodway, canal, or drainage way.
4. It is recommended that the Adopting Organization adopt at most a  $\frac{1}{4}$  mile -  $\frac{1}{2}$  mile section of a waterway in close proximity to the adopting organization. The number of volunteers needed to accomplish cleanups will depend on the size and condition of the adopted waterway. The City will help the Adopting Organization find an area to be adopted if necessary.
5. Adopting Organizations will be supplied with Adopt-A-Waterway sign(s) from the City, which will include the organization's name. The sign(s) will be placed at appropriate location(s) near the waterway. The Adopting Organization will be responsible for installing and maintaining the sign(s) as directed by the City.  
**Note: The City and/or property owner(s) will determine where the sign(s) is/are to be installed.**
6. Each Adopting Organization must have at least one (1) participating adult supervisor who is twenty-one (21) years or older. Individuals up to the age of eighteen (18) can participate in stream cleanups and other activities if properly supervised by an adult. Individuals between the ages of eighteen (18) and twenty-one (21) may participate without the supervision of a twenty-one (21) year old, but must work in groups of at least two (2). **Note: Adopting Organizations must provide at least one twenty-one (21) year old adult per four (4) children under the age of eighteen (18). Close adult supervision is required for children under the age of 8 at all times.**

7. The Adopting Organization will select one member who is twenty one (21) years of age or older to be assigned the Adopting Organization's Designated Representative. The Designated Representative will be responsible for coordinating all cleanup projects with the members of the Adopting Organization, property owner(s) and the City.
8. Adopting Organizations agree to collect trash along the edge(s) of the waterway two (2) times during the year.
9. Adopting Organizations must adopt a waterway for a period of at least two (2) years. After two (2) years, the Adopting Organization may renew their designation and agreement, modify their designation and agreement (choose a different waterway), or terminate the agreement.
10. No one may participate in the Adopt-a-Waterway program unless they have attended a safety meeting. The Designated Representative shall conduct the safety meeting directly before the start of any clean-up.
11. The Designated Representative must visit the City office at least one (1) week before a scheduled clean-up is to begin. At that time, City staff will provide the Designated Representative with safety information, trash bags, and safety vests. The City recommends that each volunteer of the Adopting Organization wears gloves, boots or sturdy shoes, pants, etc. **(The City does not provide these items.)**
12. The Designated Representative is responsible for notifying the City if any of the Adopting Organization's participants have a condition that might require special safety precautions or provisions covered under the Americans with Disabilities Act (ADA).
13. The Adopting Organization's members shall not trespass on private property.
14. The Adopting Organization is responsible for the pick-up of all trash along the edge(s) of the waterway (during a clean-up event). The volunteers must place the trash at pre-designated place(s) assigned by the City. The Adopting Organization will contact the City to arrange for the pick-up of the trash. **Note: The participants are encouraged to separate recyclable materials to the maximum extent possible.**

15. The Designated Representative must send copies of the completed sign-in sheets, liability release forms (**all liability forms must be signed prior to activity**), and the waterway clean-up data form to the Adopt-A-Waterway Program Coordinator at the City within two (2) weeks after the activity date, at the following address:

City of Colorado Springs, Stormwater Drainage  
30 South Nevada Ave., Suite 502  
Colorado Springs, CO 80901  
Attn: Jeff Besse

16. The City reserves the right to deny any adoption request or cancel the adoption agreement of any Adopting Organization without cause at any time.
17. Each participating volunteer member of the Adopting Organization agrees to sign the acknowledgment of risk and release form before starting any project.
18. The Adopting Organization acknowledges that its members, while performing work or other activities in connection with this agreement, are not employees or volunteers of the City. Accordingly, such members shall not be covered by workers compensation or benefits, including but not limited to health insurance, pension benefits, or vacations by the City.
19. The Adopting Organization shall be responsible for all damages to person(s) or property(s) caused by it, its agents, employees or volunteers which may arise from its performance of this Agreement, and shall indemnify, hold harmless, and defend the City from any claim or action brought against the City for reason thereof. As part of this obligation, the Adopting Organization shall compensate the City for the time, if any, spent by their respective attorney's office in connection with such claims or actions at the rates generally prevailing among private practitioners in El Paso County for similar services. The Adopting Organization's obligation to indemnify the City as set forth in this Agreement shall survive the termination or expiration of this Agreement.
20. The Adopting Organization and the City may mutually modify the Adopt-A-Waterway agreement. Either party may terminate this agreement for any or no reason. Participation in the Adopt-A-Waterway Program does not give any implied or explicit exclusivity for care of any specific area.
21. This agreement shall remain in effect from the date stated below until \_\_\_\_\_, at which date it shall expire, unless renewed or extended by mutual agreement.

**Educational safety checklist must be presented to ALL children under the age of 18**

**Checklist:**

- **Streams, creeks, and drainage ways are not a safe place to play**
- **Never go into a stream, creek, or drainage way without an adult**
- **Be aware of potential flash flooding. Water levels can greatly increase in seconds causing flash flooding.**
- **Chemicals and other materials in the water can harm you**
  - **Pesticides, herbicides, fertilizers, motor oil, antifreeze, pet waste, hypodermic needles, etc.**
- **Animal habitat**

**Statement of Agreement**

I have read, fully understand, and agree to abide by these policies and regulations.

Name of Adopting Organization (Please Print): \_\_\_\_\_

Name of Designated Representative (Please Print): \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Designated Representative

City of Colorado Springs

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
Adopt-A-Waterway Program Coordinator